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BEFORE THE

Federal Communications Commission

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20554

In the Matter of

**The Development of Operational,
Technical and Spectrum Requirements
For Meeting Federal, State and Local
Public Safety Agency Communication
Requirements Through the Year 2010**

**Establishment of Rules and Requirements
For Priority Access Service**

WT Docket No. 96-86

To: The Commission

**REPLY OF SAFETY TECH INDUSTRIES
TO RESPONSES TO PETITIONS FOR RECONSIDERATION**

Safety Tech Industries ("STI") respectfully submits this Reply to the responses to the STI Petition for Reconsideration of the Commission's First Report and Order in the above-captioned proceeding, the latter filed December 2, 1998.

Two of the parties which filed responses to the reconsideration requests addressed the STI petition. Both the American Association of State Highway and Transportation Officials, et al., and the Association of Public-Safety Communications Officials - International, Inc. ("APCO") supported Safety Tech's request for a frequency set aside and technical rule amendments to enable on-scene/personnel accountability reporting systems ("on-scene/PAR Systems") to operate in the new 700 MHz band public safety allocation. STI appreciates this support from representatives of the public safety community.

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APCO, in addition to supporting the STI proposal, comments that there are other low power public safety applications that also will need access to the 700 MHz band. APCO therefore requests setting aside a larger amount of spectrum than requested by STI to accommodate those additional low power operations, and it suggests that the specific channels to be assigned should be determined by the National Coordinating Committee ("NCC").

STI understands the position of APCO to be two-fold. First, APCO "supports [the STI] proposal, as it will facilitate an innovative communications capability to protect the safety of firefighters.¹" Additionally, APCO is calling the attention of the Commission, and of other interested parties, to the fact that there are other low power public safety applications which should be accommodated in the 700 MHz band, and that additional frequencies should be set aside for those functions. Considering that the period for seeking reconsideration closed on December 2, 1998, and further considering that APCO has not identified with specificity either functions, channel requirements, or technical limitations for those other low power public safety functions, those requirements are not presently before the Commission for determination. Those requirements, as suggested by APCO, properly should be addressed to the NCC.

STI does not interpret the APCO comments as suggesting that the on-scene/PAR system requirements also should be deferred to the NCC. APCO expressly states its support for the STI proposal. Moreover, the requirements for the on-scene/PAR Systems are fully developed in the record before the Commission. Rule changes must in any event be adopted by the Commission regarding the technical aspects of the on-scene/PAR systems in order to enable these systems to


¹ Response of APCO to Petitions for Reconsideration at p. 10 (Feb. 5, 1999).

progress to type acceptance since the First Report and Order does not contemplate delegating technical requirements to the NCC. Insofar as the frequency complement for the on-scene/PAR systems, those, too, have been specifically identified in the STI petition, both as to number of channels and also concerning channel placement in order to minimize the potential for harmful interference to these personnel safety devices. No adverse comment has been received concerning those recommendations. APCO itself, in its own Petition for Reconsideration in this proceeding, has asked the Commission to make provision for early access to the 700 MHz band. There certainly is no reason for engendering delay in the availability of on-scene/PAR systems in the marketplace by deferring consideration of channel assignments for such use to the NCC.

WHEREFORE, THE PREMISES CONSIDERED, Safety Tech Industries respectfully requests the Federal Communications Commission to adopt the rule changes set forth in its Petition for Reconsideration dated December 2, 1998 in this proceeding, a proposal which has the support of the public safety user community.

Respectfully submitted,

SAFETY TECH INDUSTRIES



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February 23, 1999

CERTIFICATE OF SERVICE

I, Martin W. Bercovici certify to serving a copy of the Foregoing Reply of Safety Tech Industries on Robert M. Gurss, counsel for APCO, by first class mail, postage prepaid, this 23rd day of February, 1999.



Martin W. Bercovici